



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/038,938	01/04/2002	Steven Chang	22877-0038	8477

23595 7590 08/17/2004
NIKOLAI & MERSEREAU, P.A.
900 SECOND AVENUE SOUTH
SUITE 820
MINNEAPOLIS, MN 55402

EXAMINER

ALPHONSE, FRITZ

ART UNIT	PAPER NUMBER
----------	--------------

2133

DATE MAILED: 08/17/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/038,938

Applicant(s)

CHANG, STEVEN

Examiner

Fritz Alphonse

Art Unit

2133

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 March 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 January 4002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on 08 March 2004 is: a) ☒ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Allan (U.S.

Pat. No. 6,339,455) in view of Mizoguchi (U.S. Pat. No. 6,169,847) as applied to claim 1 above, and further in view of Tagawa (U.S. Pat. No. 6,688,710).

As to claims 1 and 11, Allan (figs. 1-5) shows an overhead monitor in combination with a DVD player used in an automobile, the overhead monitor in combination with the DVD player (col. 1, lines 1-12) comprising: a fixed plate (i.e., overhead base 1, 21) adapted to be mounted in a ceiling of the automobile (note that the overhead base 21 is designed to be attached to the ceiling of a vehicle) and provided with a concave area (i.e., storage space 4 represents the concave area) and a recessed area (note the overhead bottom 22 forming a recess area) defined in a bottom; a moving plate (3) pivotally connected to the fixed plate (1, 21) and having the monitor (or TV screen) embedded therein.

Allan does not teach about a DVD player having a cover.

However, in the same field of endeavor, Mizoguchi shows an example of portable video disk unit (fig. 4), into which a lip 5 (see col. 5, lines 43-49) of the inner cover 4 extends when the inner cover 4 is closed (note the concave area corresponding to the wedge and the extension of the inner cover 4). Mizoguchi discloses that "for reproducing the DVD, the cover 4 is opened,

loaded at a given position, and the cover is closed. Therefore, it is inherent that a detector or a sensor would indicate when the cover of the DVD player is closed for reproducing the DVD (col. 5, lines 53-60).

Therefore, it would have been obvious to one skilled in the art, at the time of the invention, to modify Allan by specifically providing a DVD player, which includes in a single frame a disk drive having a DVD loading, as disclosed by Mizoguchi. Doing so would provide a DVD reproducing apparatus capable of reproducing data recorded on the DVD while carrying in arbitrary places as well as indoors.

In addition, as to claims 1 and 11, Allan and Mizoguchi fail to teach about a clamp and a hole with a sensor defined in a face of a concave area.

However, Tagawa (fig. 3) shows a cover used in CD player wherein the device has a clamp and a hole with a sensor (note rod shaped members 21A) for detecting the opening/closing state of the cover (see col. 3, lines 59-67). As disclosed by Tagawa, using this mechanism would provide an electronic device cabinet and an electronic device that can appropriately slow down the rotation of the cover with a simple mechanism and are easy to use (col. 1, lines 57-60).

As to claims 2 and 5, Mizoguchi (figs. 1-5) shows an overhead monitor in combination with a DVD player used in an automobile (col. 1, lines 5-12) further comprising a gap (2) defined at a joint between the moving plate (3) and the fixed plate (1, 21).

Allan does teach about a protective cap pivotally connected to the fixed plate to selectively cover the gap.

However, this is very obvious, it would have been obvious to one skilled in the art, at the time of the invention, to use a protective cap pivotally connected to the fixed plate of the DVD to

selectively cover the gap between the plates. Doing so is capable of eliminate vibration and enhance the reproduction of the DVD system.

As to claims 3 and 12, Mizoguchi (figs. 1-5) shows an overhead monitor in combination with a DVD player used in an automobile, wherein the concave area (i.e., storage space 4) has a depth equal to a thickness of a combination of the moving plate (3) and the monitor (note the monitor is enclosed inside the moving plate 3) so that after the combination of the moving plate and the monitor is received in the concave are (4), the moving plate together with the monitor is flush with the fixed plate (see figure 1).

As to claims 4, 7, 13 and 14, Allan discloses an overhead monitor in combination with a DVD player used in an automobile. However, Allan fails to provide a DVD with a cover.

However, Mizoguchi (fig. 4) shows a DVD with a cover, which defines the bottom face of a concave area when the cover securely engages the face of the concave area. See the motivation for the same reason as discussed in claim 1.

As to claims 6, 8, 9 and 10, the claims differ from claim 2 by the additional limitation "the clamp secures the wedges so that the DVD player can operate normally even if a sudden bump occurs when the DVD player is operated". However, the limitations are clearly disclosed by Tagawa (col. 3, lines 64 through col. 4, line 4).

Conclusion

3. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks, Washington, D.C. 20231

or faxed to: (703) 872-9306 for all formal communications.

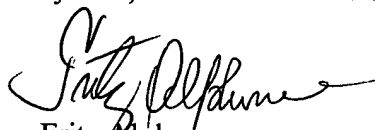
Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Fourth Floor (Receptionist).

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Fritz Alphonse, whose telephone number is (703) 308-8534. The examiner can normally be reached on M-F, 8:30-6:00, Alt. Mondays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Albert De Cady, can be reached at (703) 305-9595.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.

Information regarding the status of an application may also be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Fritz Alphonse

Art Unit 2133

August 6, 2004


ALBERT DE CADY
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100